



**US Army Corps
of Engineers®**

New York District
26 Federal Plaza
New York, N.Y. 10278
ATTN: CENAN-OP-ST

Public Notice

In replying refer to:
Public Notice No. Supplemental Flushing Bay and Creek 06
Published: March 11, 2005
Expires: April 11, 2005

SUPPLEMENTAL PUBLIC NOTICE MAINTENANCE DREDGING OF FLUSHING BAY AND CREEK, NEW YORK, FEDERAL NAVIGATION CHANNEL

CONTINUED DREDGING OF MATERIAL

TO WHOM IT MAY CONCERN:

In September and October 2003, the New York District U.S. Army Corps of Engineers performed maintenance dredging of the Flushing Bay and Creek as per the public notice no. **Flushing Bay and Creek 02** dated November 13, 2001 (attached). Due to limited funding, only critical shoals totaling 42,485 cubic yards (CY) of sediment was removed from the creek of the available 225,00 CY in the entire project. The material was amended and placed at the Fountain Avenue Landfill closure site.

By this public notice supplement, the New York District, U.S. Army Corps of Engineers, proposes to undertake the maintenance dredging of the remaining shoals in the Flushing Bay and Creek from the 2003 dredging cycle. The 2006 proposed maintenance dredging would involve the removal of up to a total of 250,000 CY (based on the April 2004 condition survey) to a depth of 15 feet below Mean Low Water (MLW) with a 1 ft allowable over depth, dependant on available funding. In the event only limited funding is available, the shoals will be prioritized to maximize navigation benefit.

The purpose of the proposed dredging is to maintain the authorized project dimensions, thereby assuring safe economical use of the Flushing Bay and Creek by shipping interests. Maintenance dredging of a channel is generally accomplished by clamshell dredge, hopper dredge or other similar plant. The dredged material from this dredging cycle will be transported by scows or hopper dredge and placed at an approved and permitted upland placement site(s) provided by the contractor, and approved by the Government. The dredged material will be required to meet all federal, state and local criteria required by the government agencies having jurisdiction where the placement site is located. All necessary permits required for the dredged material placement will be provided to the Government by the selected contractor.

MATERIAL DESCRIPTION:

Based upon grain size analysis of sediment samples from the Federal channel performed May 2003, the proposed dredged material is characterized as clayey silt.

COORDINATION:

The proposed work is being coordinated with the following Federal, State and local agencies:

- U.S. Environmental Protection Agency
- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Department of Commerce, National Marine Fisheries Service
- U.S. Coast Guard, Third District
- New York State Department of Environmental Conservation
- New York State Department of State
- Federal Aviation Administration

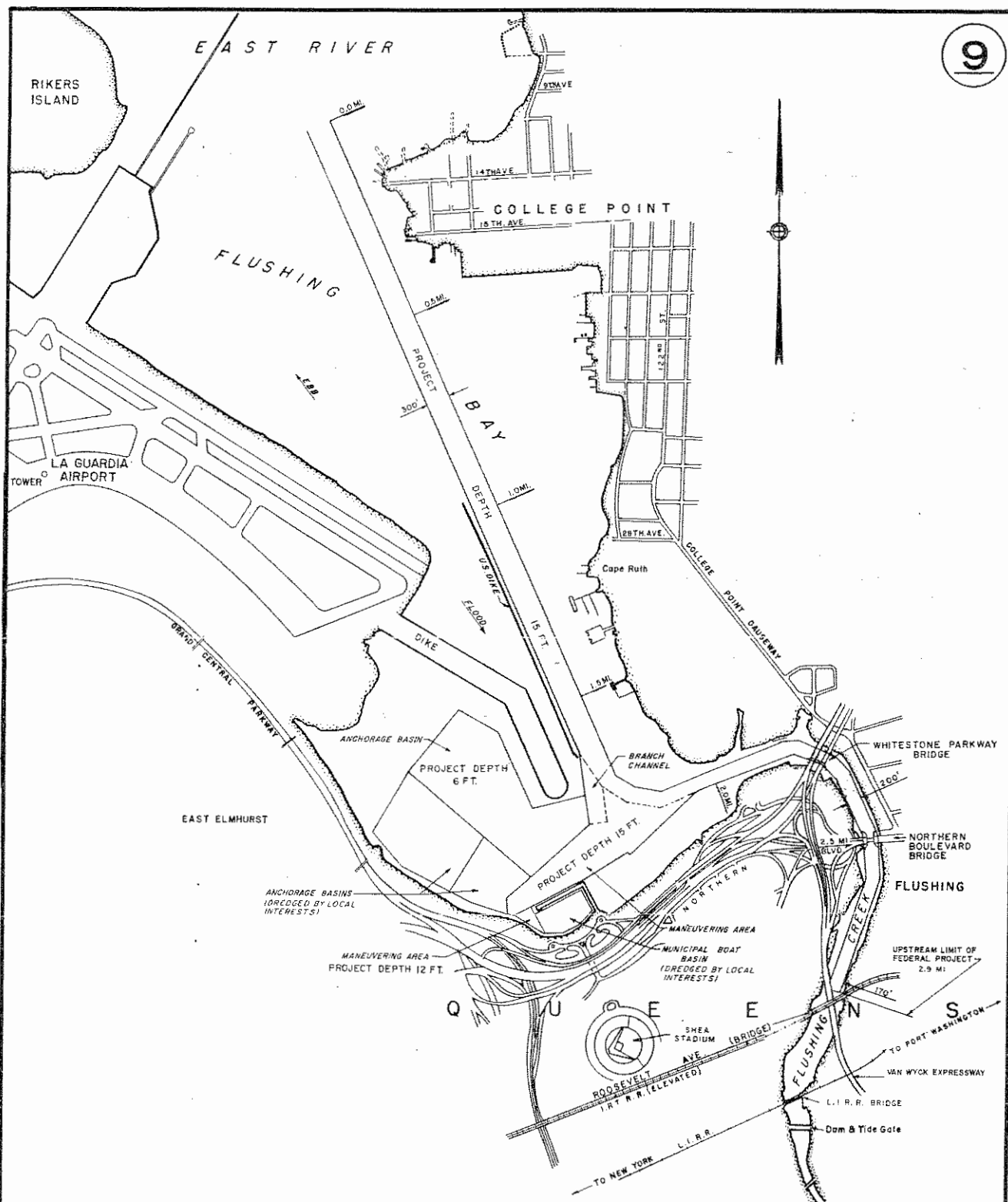
Concurrence from the above agencies will be obtained before any work proceeds. If you have any questions concerning this notice, you may contact Mr. Joe Olha, the Project manager at (917) 790-8404. Comments or Question may be faxed to 212 264-1463.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and who did not receive a copy of this notice.

For more information on New York District U.S. Army Corps of Engineers programs, please visit our web site at <http://www.nan.usace.army.mil>.


JOHN F. TAVOLARO
Chief, Operations Support Branch

Encls.
PN No Flushing Bay and Creek 02



FLUSHING BAY AND CREEK, N. Y.

30 SEPTEMBER 1966

SCALE OF FEET

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DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
NEW YORK, NEW YORK



**US Army Corps
of Engineers.**

New York District
26 Federal Plaza
New York, N.Y. 10278
ATTN: CENAN-OP-ST

Public Notice

In replying refer to:
Public Notice No. Flushing Bay and Creek 02
Published: November 13, 2001
Expires: December 12, 2001

MAINTENANCE DREDGING OF FLUSHING BAY AND CREEK, NEW YORK, FEDERAL NAVIGATION CHANNEL

TO WHOM IT MAY CONCERN:

The New York District U.S. Army Corps of Engineers, pursuant to Section 404 (33 U.S.C. 1344) of the Federal Water Pollution Control Act (amended in 1977 and commonly referred to as the Clean Water Act), proposes to perform maintenance dredging of the Flushing Bay and Creek, New York (See Map No. 1), Federal Navigation Project, with the disposal of the dredged material at a suitable upland placement site(s).

ACTIVITY: Maintenance Dredging of Flushing Bay and Creek, New York, Federal Navigation Project.

WATERWAY: Flushing Bay & Creek, New York, Federal Navigation Project.

LOCATION: Queens County, New York

Flushing Bay and Creek was authorized by the Rivers and Harbors Act of 1902 and subsequently modified by the Rivers and Harbors Act of 1935 and 1962. It provides for:

a. A bay channel with a depth of 15 feet and a width of 300 feet from deep water in the East River to the maneuvering area, a distance of 1.8 miles;

b. A branch channel with a depth of 15 feet and a width of 200 feet from the bay channel to the maneuvering area, a distance of about 0.1 mile;

c. An irregularly shaped maneuvering area 15 feet deep except the approach to the west side of the municipal boat basin which will remain at 12 feet; and

d. An anchorage basin approximately 2,100 feet by 1,800 feet encompassing about 84 acres with a depth of 6 feet.

This activity is being evaluated to determine that the proposed dredging with placement of dredged material on an upland disposal site will not unreasonably degrade or endanger human health, welfare, economic potential, recreation and aesthetics, water quality, marine resources, ecological systems and/or flood protection.

The Corps of Engineers is soliciting comments from the public; federal, state and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Comments are used to assess impacts on navigation, water quality, endangered species, historic resources, wetlands, scenic and recreational values, and other public interest factors. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act and to determine the need for a public hearing.

ALL COMMENTS REGARDING THIS ACTIVITY MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE AT THE ADDRESS ON THE FRONT PAGE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person who has an interest which may be affected by the placement of this dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest which may be affected, and the manner in which the interest may be affected by the activity. It should be noted that information submitted by mail is considered just as carefully in the process and bears the same weight as that furnished at a public hearing.

No known archaeological, scientific, prehistorical or historical data are expected to be lost by work accomplished under the required dredging.

Reviews of the activity pursuant to Section 404 of the Clean Water Act will include application of the guidelines announced by the Administrator, U.S. Environmental Protection Agency, under

authority of Section 404(b) of the Clean Water Act. The Corps will obtain a water quality certificates (WQC) from the New York State Department of Environmental Conservation in accordance with Section 401 of the Clean Water Act.

Pursuant to Section 307 of the Coastal Zone Management Act of 1972 as amended [16 USC 1456(c)], for activities conducted or supported by a federal agency in a state which has a federally approved Coastal Zone Management (CZM) program, the Corps will submit a determination that the proposed project is consistent with the CZM programs of the State of New York and of the State of New Jersey to the maximum extent practicable. For activities within the coastal zone of the State of New York, project information is available from the Coastal Zone Management Program, New York State Department of State, Division of Coastal Resources, 41 State Street, Albany New York 12231, telephone (518) 474-3642.

In compliance with Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (1996 amendments), an Essential Fish Habitat Assessment will be prepared and submitted to the National Marine Fisheries Service for review and comment.

The proposed work is being coordinated with the following Federal, State and local agencies:

- U.S. Environmental Protection Agency
- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Department of Commerce, National Marine Fisheries Service
- U.S. Coast Guard, Third District
- New York State Department of Environmental Conservation
- New York State Department of State

If you have any questions concerning this notice, you may contact this office at (212) 264-9030 and ask for Ms. Emily Eng.

DESCRIPTION OF PLANNED FEDERAL ACTION:

The proposed action by the U.S. Army Engineer District, New York, is the maintenance dredging portions of Flushing Bay and Creek Federal Navigation Project.

The proposed maintenance dredging of Flushing Bay and Creek will remove approximately 80,000 cubic yards of material. The Flushing Bay Reach of this project was last dredged in 1997 with the removal of 84,000 cubic yards of sediment. The dredged

material from this dredging cycle will be placed at an approved and permitted upland placement site(s) provided by the contractor, and approved by the Government.

The purpose of the proposed dredging is to maintain the authorized project dimensions, thereby assuring safe economical use of the Flushing Bay and Creek by shipping interests.

All dredging of the Flushing Bay and Creek could be accomplished by clamshell dredge, hopper dredge or other similar plant.

ENVIRONMENTAL IMPACT STATEMENT:

An Environmental Impact Statement (EIS) was prepared in 1973 for the maintenance dredging of the Flushing Bay and Creek, New York Federal navigation channels. This assessment concluded at that time that the maintenance dredging of the Flushing Bay and Creek with disposal at the designated ocean dumping site (Mud Dump Site) had no significant adverse environmental impacts on water quality, marine resources, wildlife, recreation, aesthetics and flood protection.

An Environmental Assessment and Section 404(b) evaluation reflecting changes in federal, state and local testing procedures, will be prepared prior to implementation of the proposed work.

PLACEMENT SITE:

The dredged material will be transported by scows or hopper dredge to a suitable upland placement site(s) furnished by the contractor and approved by the Government. The dredged material will be required to meet all federal, state and local criteria required by the government agencies having jurisdiction where the site is located. All necessary permits required for the dredged material placement will be provided to the Government by the contractor.

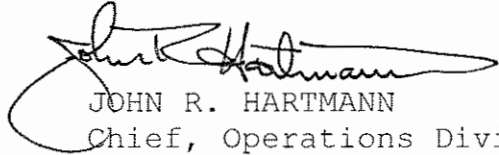
MATERIAL DESCRIPTION:

Based upon an analysis of sediment samples from the Federal channel, the grain size characteristics of the proposed dredged material are:

0.00% GRAVEL, 6.0% SAND, 66.5% SILT, 27.6% CLAY

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and who did not receive a copy of this notice.

For more information on New York District Corps of Engineers programs, please visit our web site at <http://www.nan.usace.army.mil>.



JOHN R. HARTMANN
Chief, Operations Division

Encls.
Projet Map

